



City Council Chambers  
3300 Capitol Avenue  
Fremont, California

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### City Council

Bob Wasserman, Mayor  
Bob Wieckowski, Vice Mayor  
Anu Natarajan  
Bill Harrison  
Suzanne Lee Chan

### City Staff

Fred Diaz, City Manager  
Harvey E. Levine, City Attorney  
Melissa Stevenson Dile, Deputy City Manager  
  
Dawn G. Abrahamson, City Clerk  
Harriet Commons, Finance Director  
Marilyn Crane, Information Technology Svcs. Dir.  
Mary Kaye Fisher, Interim Human Resources Dir.  
Annabell Holland, Parks & Recreation Dir.  
Norm Hughes, City Engineer  
Jill Keimach, Community Dev. Director  
Bruce Martin, Fire Chief  
Jim Pierson, Transportation & Ops Director  
Jeff Schwob, Planning Director  
Suzanne Shenfil, Human Services Director  
Craig Steckler, Chief of Police  
Lori Taylor, Economic Development Director  
Elisa Tierney, Redevelopment Director

## City Council Agenda and Report [Redevelopment Agency of Fremont]

### General Order of Business

1. Preliminary
  - Call to Order
  - Salute to the Flag
  - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
  - Public Hearings
  - Appeals
  - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

### Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

### Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



## **Addressing the Council**

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

## **Oral Communications**

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

**To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.**

**The City Council Agendas may be accessed by computer at the following Worldwide Web Address: [www.fremont.gov](http://www.fremont.gov)**

## **Information**

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website ([www.Fremont.gov](http://www.Fremont.gov)).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

## **Availability of Public Records**

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk  
City of Fremont  
3300 Capitol Avenue, Bldg. A  
Fremont, California 94538  
Telephone: (510) 284-4060

*Your interest in the conduct of your City's business is appreciated.*

**NOTICE AND AGENDA OF SPECIAL MEETING  
CLOSED SESSION  
CITY OF FREMONT  
REDEVELOPMENT AGENCY**

**DATE:** Tuesday, January 26, 2010

**TIME:** 6:00 p.m.

**LOCATION:** Fremont Room, 3300 Capitol Avenue, Fremont

The Agency will convene a special meeting. It is anticipated the Agency will immediately adjourn the meeting to a closed session for granting authority to its real property negotiators, as follows:

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** This closed session is authorized by Government Code Section 54956.8 at the time and place stated above to confer with and grant authority regarding price and terms of payment to its real property negotiators.

<b>Property Owner</b>	<b>Address</b>	<b>Parcel No.</b>	<b>Acres</b>
Redevelopment Agency	37070 Fremont Blvd.	501-142600403	2.50
Redevelopment Agency	37120 Fremont Blvd.	501-142600601	.77
Redevelopment Agency	37156 Fremont Blvd	501-142600803	2.00
Redevelopment Agency	37196 Fremont Blvd.	501-142601002	.75
Redevelopment Agency	37122 Fremont Blvd.	501-142601100	.54
Redevelopment Agency	37218 Fremont Blvd.	501-142601203	.05

The Brown Act requires the negotiators (even when not attending the meeting) to be listed in this notice. Those negotiators are:

For the Agency—(which will be represented at the meeting) Elisa Tierney, Redevelopment Agency Director; Agency Attorney, Harvey Levine and Special Counsel, Jack Nagel.

This Special Meeting is being called by Chairman Wasserman.



**AGENDA**  
**FREMONT CITY COUNCIL REGULAR MEETING**  
**JANUARY 26, 2010**  
**COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A**  
**7:00 P.M.**

**1. PRELIMINARY**

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

**2. CONSENT CALENDAR**

*Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.*

- 2.1 *Motion to Waive Further Reading of Proposed Ordinances  
(This permits reading the title only in lieu of reciting the entire text.)*
- 2.2 *Approval of Minutes – for the Special and Regular Meetings of December 1, 2009*
- 2.3 *Second Reading and Adoption of an Uncodified Ordinance of the City of Fremont Adopting a Third Amendment to Development Agreement DA-92-1 Between the City and King & Lyons Related to the Development of Property Generally Located Westerly of Interstate 880 and North of Dixon Landing Road*

*RECOMMENDATION: Adopt ordinance.*

- 2.4 *Second Reading and Adoption of an Ordinance of the City of Fremont Amending the Precise Plan for P-District 2005-262(F)*

*RECOMMENDATION: Adopt ordinance.*

- 2.5 *Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Zoning Provisions Governing Adult Encounter Centers*

*RECOMMENDATION: Adopt ordinance.*

## 2.6 CIP PROJECT CLOSE OUTS

*Approve the Close Out of Completed Capital Projects*

*Contact Person:*

<i>Name:</i>	<i>Sean O'Shea</i>	<i>Norm Hughes</i>
<i>Title:</i>	<i>Management Analyst II</i>	<i>City Engineer</i>
<i>Dept.:</i>	<i>Community Development</i>	<i>Community Development</i>
<i>Phone:</i>	<i>510-494-4777</i>	<i>510-494-4748</i>
<i>E-Mail:</i>	<i>soshea@fremont.gov</i>	<i>nhughes@fremont.gov</i>

*RECOMMENDATION:*

- 1. Approve the close out and defunding of the capital projects identified on Enclosure A and for all funds except Fund 531, Fund 213, and Fund 501, return the remaining project appropriations to unallocated fund balance in their respective funds.*
- 2. Appropriate the remaining balance in the TIF (fund 531) to 531PWC 8101 CIP Contingency.*
- 3. Appropriate the remaining balance for Fire Bond (Fund 213) to 213PWC8552, Fire Station #3.*
- 4. Approve the transfer of unexpended appropriations from the defunding and close out of Fund 501 projects from Fund 501 to the Budget Uncertainty Reserve.*

## 2.7 ALAMEDA COUNTY BEHAVIORAL HEALTH CARE SERVICES CONTRACT RENEWAL

*Authorize the City Manager or Designee to Execute the FY 2009/10 Services-As-Needed Contract with Alameda County Behavioral Health Care Services (ACBHCS) for Reimbursement of Mental Health Services*

*Contact Person:*

<i>Name:</i>	<i>Iris Preece</i>	<i>Suzanne Shenfil</i>
<i>Title:</i>	<i>YFS Administrator</i>	<i>Director</i>
<i>Dept.:</i>	<i>Human Services</i>	<i>Human Services</i>
<i>Phone:</i>	<i>510-574-2128</i>	<i>510-574-2048</i>
<i>E-Mail:</i>	<i>ipreece@fremont.gov</i>	<i>sshenfil@fremont.gov</i>

*RECOMMENDATION: Authorize the City Manager to execute the Services-as-Needed contract with Alameda County Behavioral Health Care Services for reimbursement for mental health services as set forth in the staff report.*

## 2.8 LEGISLATIVE POLICIES AND FUNDING PRIORITIES

*Adoption of City Legislative Policies and Funding Priorities for 2010*

*Contact Person:*

<i>Name:</i>	<i>Maya Williams</i>	<i>Melissa Stevenson Dile</i>
<i>Title:</i>	<i>Management Analyst</i>	<i>Deputy City Manager</i>
<i>Dept.:</i>	<i>City Manager's Office</i>	<i>City Manager's Office</i>
<i>Phone:</i>	<i>510-284-4013</i>	<i>510-284-4005</i>
<i>E-Mail:</i>	<i>mwilliams@fremont.gov</i>	<i>mdile@fremont.gov</i>

*RECOMMENDATION: Adopt the 2010 Legislative Policies and Funding Priorities and authorize the Mayor to convey the Legislative Policies and Funding Priorities to Assemblymember Torrico and Senator Corbett.*

### **3. CEREMONIAL ITEMS**

- 3.1 Resolution: Recognizing Taryn Hanano, Planner II, for winning the American Planning Association's National Planning Leadership Award for a Planning Student
- 3.2 Recognition for Receiving the GFOA Certificate of Achievement for Excellence in Financial Reporting for FY 2007/08 and Distinguished Budget Presentation Award for FY 2009/10
- 3.3 Resolution: Honoring Police Business Services Manager Susan Aro for 20 Years of Service
- 3.4 Resolution: Honoring Police Sergeant Steven Pace for 20 Years of Service
- 3.5 Resolution: Honoring Police Sergeant Howard Russell for 25 Years of Service
- 3.6 Resolution: Honoring Police Detention Technician Elliott Stephens for 30 Years of Service

### **4. PUBLIC COMMUNICATIONS**

- 4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – None.

PUBLIC FINANCING AUTHORITY – None

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

## **5. SCHEDULED ITEMS**

### **5.1 APPEAL OF DENIAL OF WANG FAMILY TENTATIVE PARCEL MAP (TPM #8265) – 46953 OCOTILLO COURT**

Public Hearing (Published Notice) to Consider an Appeal of a Planning Commission Decision to Deny a Tentative Parcel Map Application (TPM 8265) to Subdivide a 1.02-acre Parcel into Two Single-Family Lots (PLN2009-00175) (Continued from January 12, 2010)

**Contact Person:**

Name:	Harvey E. Levine	Jeff Schwob
Title:	City Attorney	Planning Director
Dept.:	City Attorney's Office	Planning Division
Phone:	510-284-4030	510-494-4527
E-Mail:	hlevine@fremont.gov	jschwob@fremont.gov

**RECOMMENDATION:** Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guideline 15315; adopt the attached findings and deny the project based on general plan inconsistency.

## **6. REPORT FROM CITY ATTORNEY**

### **6.1 Report Out from Closed Session of Any Final Action**

## **7. OTHER BUSINESS**

### **7.1 GRIMMER BOULEVARD GREENBELT GATEWAY PHASE 1 CONTRACT AWARD**

Approval of Plans and Specifications and Award of Contract in the Amount of \$1,018,419 to the Lowest Responsible Bidder for the Grimmer Greenbelt Gateway Phase 1 (Paseo Padre Parkway Intersection Improvements) Project, City Project No. 8679A (PWC)

**Contact Person:**

Name:	Paul Leung	Norm Hughes
Title:	Associate Civil Engineer	City Engineer
Dept.:	Community Development	Community Development
Phone:	510-494-4512	510-494-4748
E-Mail:	pleung@fremont.gov	nhughes@fremont.gov

**RECOMMENDATION:**

1. Approve the Plans and Specifications for the Grimmer Boulevard Greenbelt Gateway Phase 1 (Paseo Padre Parkway Intersection Improvements) project, City Project No. 8679A (PWC).
2. Reject the bid from the lowest monetary bidder, C. F. Archibald Paving, Inc., as a non-responsive bid.
3. Accept the bid and award the construction contract for Grimmer Boulevard



Greenbelt Gateway Phase 1 (Paseo Padre Parkway Intersection Improvements) project, City Project No. 8679A (PWC) to the second bidder, Gallagher & Burk, Inc., in the amount of \$1,018,419 and authorize the City Manager or his designee to execute the contract.

4. Authorize the transfer of appropriation of \$870,000 from Washington Boulevard/Paseo Padre Parkway Grade Separations 531 PWC 8156 to Grimmer Boulevard Greenbelt Gateway 531 PWC 8679.

## **8. COUNCIL COMMUNICATIONS**

### **8.1 Council Referrals**

- 8.1.1 MAYOR WASSERMAN REFERRAL: Appointments and Reappointments to advisory bodies with terms expiring as follows:

#### Appointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Senior Citizens Commission	J.R. Thomas	December 31, 2013

#### Reappointments:

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
East Bay Regional Park Liaison Committee	Roman Reed	December 31, 2012 (Recreation Commission Rep.)
	Frank Pirrone	December 31, 2011 (Recreation Commission Alternate)

George W. Patterson House Advisory Board	John Christman	December 31, 2013 (Recreation Commission Rep.)
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### **8.2 Oral Reports on Meetings and Events**

## **9. ADJOURNMENT**





REPORT SECTION  
FREMONT CITY COUNCIL  
REGULAR MEETING

JANUARY 26, 2010



**\*2.3 Second Reading and Adoption of an Uncodified Ordinance of the City of Fremont Adopting a Third Amendment to Development Agreement DA-92-1 Between the City and King & Lyons Related to the Development of Property Generally Located Westerly of Interstate 880 and North of Dixon Landing Road**

ENCLOSURE: [Draft Ordinance](#)

RECOMMENDATION: Adopt ordinance.

**\*2.4 Second Reading and Adoption of an Ordinance of the City of Fremont Amending the Precise Plan for P-District 2005-262(F)**

ENCLOSURE: [Draft Ordinance](#)

RECOMMENDATION: Adopt ordinance.

**\*2.5 Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Zoning Provisions Governing Adult Encounter Centers**

ENCLOSURE: [Draft Ordinance](#)

RECOMMENDATION: Adopt ordinance.

## **\*2.6 CIP PROJECT CLOSE OUTS**

### **Approve the Close Out of Completed Capital Projects**

#### **Contact Person:**

Name:	Sean O'Shea	Norm Hughes
Title:	Management Analyst II	City Engineer
Dept.:	Community Development	Community Development
Phone:	510-494-4777	510-494-4748
E-Mail:	soshea@fremont.gov	nhughes@fremont.gov

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**Executive Summary:** The purpose of this staff report is to request that the City Council close out 27 completed capital projects and defund five capital projects and transfer the unused appropriations from these projects that have General Capital Projects (Fund 501) funding to the Budget Uncertainty Reserve, appropriate remaining Traffic Impact Fees (Fund 531) funds to PWC8101 CIP Contingency, appropriate remaining Fire Bond proceeds (Fund 213) to PWC8552 Fire Station #3, and transfer all other unused appropriations to unallocated fund balance in their respective funds for reprogramming in the next Capital Improvement Program budget.

**BACKGROUND:** The City currently manages 223 capital projects in various stages of development that have received appropriation of funds by the City Council. The vast majority of these projects are successfully managed by staff through project completion within initial budget appropriation amounts. Staff also pursues funds from outside sources whenever possible to either wholly fund or partially offset City project expenses.

Staff maintains the list of these capital projects and periodically (generally, once a year,) requests City Council approval for projects that are ready to be closed.

**DISCUSSION/ANALYSIS:** Upon completion of right-of-way acquisition, construction and other related activities, some capital projects have remaining budget appropriations. Historically, projects with over-expended balances are offset against projects with under-expended balances within the same fund, and all are closed simultaneously. The net balances shown on the project close-out list (Enclosure A) total \$3,345,126. The close-outs enable any remaining project appropriations to be returned to their respective funds for programming in future capital plans. The close out of these projects also addresses staff's and City Council's interest of having unused funding from street projects returned to a contingency account to be available to fund future cost increases. Following this concept, staff recommends that unused Traffic Impact Fee (TIF) funds be appropriated to PWC 8101 "CIP Contingencies." This account would then be available to cover future budget shortfalls for traffic improvements.

Generally, unexpended appropriations resulting from project close-outs are returned to unallocated fund balance in their respective funds, and are then available for programming in the future. An exception to this practice is being proposed for unexpended appropriations for General Capital Projects (Fund 501). At the first quarter budget update in November 2009, Council received information that included a preliminary estimate of a \$2.2 million budget shortfall in FY 2010/11, after fully expending the Budget Uncertainty Reserve. Although economists have generally declared the recession to have ended in the

second half of 2009, the recovery is expected to be long and slow, and to not become evident until late in FY 2010/11.

In order to provide some additional cushion for fiscal and budget uncertainties, staff proposes transferring \$1,294,226 in unexpended appropriations resulting from project close-outs and defundings in Fund 501 to the Budget Uncertainty Reserve. This will not affect projects that already have funding, however, it will provide an additional buffer for General Fund operations. Should this additional funding in the Budget Uncertainty Reserve not be needed in FY 2010/11, it will be available in future years, should the need arise.

**FISCAL IMPACT:** Approximately \$3,345,126 in total Project Close-Outs and Defunding. Of that amount, \$1,294,226 is recommended for transfer from Fund 501 to the Budget Uncertainty Reserve.

**ENVIRONMENTAL REVIEW:** N/A

**ENCLOSURE:** [\(A\) Project Close-Out and Defunding List](#)

**RECOMMENDATION:**

1. Approve the close out and defunding of the capital projects identified on Enclosure A and for all funds except Fund 531, Fund 213, and Fund 501, return the remaining project appropriations to unallocated fund balance in their respective funds.
2. Appropriate the remaining balance in the TIF (fund 531) to 531PWC 8101 CIP Contingency.
3. Appropriate the remaining balance for Fire Bond (Fund 213) to 213PWC8552, Fire Station #3.
4. Approve the transfer of unexpended appropriations from the defunding and close out of Fund 501 projects from Fund 501 to the Budget Uncertainty Reserve.

**\*2.7 ALAMEDA COUNTY BEHAVIORAL HEALTH CARE SERVICES CONTRACT RENEWAL**

**Authorize the City Manager or Designee to Execute the FY 2009/10 Services-As-Needed Contract with Alameda County Behavioral Health Care Services (ACBHCS) for Reimbursement of Mental Health Services**

**Contact Person:**

Name:	Iris Preece	Suzanne Shenfil
Title:	YFS Administrator	Director
Dept.:	Human Services	Human Services
Phone:	510-574-2128	510-574-2048
E-Mail:	ipreece@fremont.gov	sshensif@fremont.gov

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**Executive Summary:** The purpose of this report is to recommend that the City Council authorize the City Manager or his designee to execute a renewal of the Services-As-Needed contract between the City and Alameda County Behavioral Health Care Services (ACBHCS) for eligible mental health services provided by Youth and Family Services (YFS) in FY 2009/10.

**BACKGROUND:** The Youth and Family Services (YFS) Division of the Human Services Department has secured Medi-Cal reimbursement from ACBHCS for eligible mental health services provided to children and adults through its various programs since FY 1999/2000. This contract with ACBHCS includes services provided to children with “full-scope Medi-Cal” (i.e., complete Medi-Cal coverage), that are funded through Early Periodic Screening Diagnosis and Treatment (EPSDT), which is the joint County, State, and federal Medicaid reimbursement mechanism for services provided to children. The funded programs include:

- Healthy Choices school-site counseling services at 21 Fremont school sites, including Robertson High School and the Newark Bridgepoint/Community Day School site;
- The Infant Toddler Program, which serves families with children who are five years old and younger;
- The Youth Service Center, which serves at-risk youth and their families; and
- The Truancy Intervention and Probation Youth Program, which serves youth who are chronically truant and/or on probation and their families. Medi-Cal reimbursement for this program applies to eligible clients who need services beyond the crisis sessions and three follow-up sessions per year provided under the City’s contract with the Alameda County Probation Department.

**DISCUSSION/ANALYSIS:** The EPSDT program provides reimbursement for services based on actual costs up to the maximum allowed by the State of California, which requires the development of interim reimbursement rates and a final cost settlement each year. In order to avoid service interruptions, Alameda County utilizes a two-step contracting process. On July 28, 2009, the City Council authorized the City Manager to execute an interim contract that allowed the City to continue program operation and bill for eligible services provided using the prior year’s interim reimbursement rates. The County has now approved new interim reimbursement rates and has issued the new contract for FY 2009/10 that



replaces the interim contract. Any differences between the contractor's actual costs and the reimbursement paid are settled through the end-of-year cost settlement process.

**FISCAL IMPACT:** While the reimbursement rate may vary between the contract and cost settlement, the total maximum amount for which the City can be reimbursed, remains at \$723,427. Funding is used for staffing, supplies, and overhead costs. In anticipation of these funds, Council appropriated \$723,427 as part of the FY 2009/10 Adopted Budget. Any additional funds provided by the County will also be included in the agreement, provided that such funds are properly appropriated.

**ENVIRONMENTAL REVIEW:** None

**ENCLOSURE:** None

**RECOMMENDATION:** Authorize the City Manager to execute the Services-as-Needed contract with Alameda County Behavioral Health Care Services for reimbursement for mental health services as set forth in the staff report.

## **\*2.8 LEGISLATIVE POLICIES AND FUNDING PRIORITIES**

### **Adoption of City Legislative Policies and Funding Priorities for 2010**

#### **Contact Person:**

Name:	Maya Williams	Melissa Stevenson Dile
Title:	Management Analyst	Deputy City Manager
Dept.:	City Manager's Office	City Manager's Office
Phone:	510-284-4013	510-284-4005
E-Mail:	mwilliams@fremont.gov	mdile@fremont.gov

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**Executive Summary:** Each year, the City Council adopts Legislative Policies and Funding Priorities to guide the City's legislative advocacy efforts during the year. Adoption of such a list enables both Council and staff to react quickly to most legislative issues as they arise. Staff recommends Council adopt the 2010 Legislative Policies and Funding Priorities.

**BACKGROUND:** Since 2001, the City Council has formally adopted Legislative Policies and Funding Priorities to guide Council and staff advocacy efforts during the year. These policies and priorities are then given to the City's Legislators so that they know the City's position on a broad range of important issues. The majority of the policies and funding priorities proposed for 2010 are the same as last year's list. However, there are new issues that are worth noting. First, the City supports State and federal efforts to direct funding to local capital projects to create and enhance jobs. Second, the City opposes any State takeaways of redevelopment funds on the grounds that they are unconstitutional and impair orderly funding of critical redevelopment activities.

### **LEGISLATIVE POLICIES**

The City of Fremont opposes any legislation or regulations that preempt local authority, negatively impact the City's budget, and/or impose unfunded mandates on the City. The City supports the use of incentives to encourage local government action, rather than the imposition of mandates. In general, the City of Fremont only takes positions on issues of direct relevance to local governments. Issues not directly relevant to local governments may be handled on a case-by-case basis.

#### **Economic Development**

- Support State and federal efforts to continue to fund an Economic Stimulus Package.
- Support State and federal efforts to enact a Federal Jobs Package.
- Support State and federal efforts to financially support small business entrepreneurship training and assistance.

#### **Elections**

- **All-mail ballot elections:** The City supports legislation to allow cities to conduct all-mail ballot elections, particularly for stand-alone local elections. Such elections will help cash-strapped local governments save money.

#### **Employee Relations**

- **Mandated employee benefits:** Decisions about employees' health and retirement benefits should be made at the local level, through the collective bargaining process, not mandated by the State.

Therefore, the City opposes legislation mandating new or enhanced local employee benefits because such benefits can impose financial costs and administrative burdens on local governments.

- **4850 benefits:** Under current law (Labor Code Section 4850), public safety employees who are totally temporarily disabled by injury or illness on the job are entitled to a leave of absence at full salary, tax free, for up to one year. The City opposes legislation to extend that timeframe.
- **Workers' compensation:** The City opposes any new or additional workers' compensation benefits and supports legislation to further reform the system and lower employer costs.
- **Second tier CalPERS benefits:** Existing law allows a CalPERS local contracting agency to amend its contract with CalPERS in order to create a second tier of benefits, subject to certain restrictions. The second tier can only apply to employees who are hired after the contract effective date or who change membership classification after the contract amendment date. Existing law also prohibits local agencies from amending their contracts with CalPERS to reduce employee benefits for existing employees. However, a second tier, which applies to prospective employees only, may provide a lesser or different level of optional benefits than exists for employees in the first tier. The City opposes legislation to eliminate a local contracting agency's ability to reduce or modify benefits for new employees of the agency.
- **Mandatory Social Security coverage:** Various federal commissions and entities have recommended mandatory Social Security coverage for newly hired local government employees. This is, at best, a short-term solution to a federal government problem and would result in additional salary costs to both the City and newly hired employees. Public plans (e.g., CalPERS) were established before Social Security and continue to serve employees well. Social Security - not public plans - has lived beyond its means, resulting in attempts to find new revenues (e.g., bringing newly hired local government employees into the system). The City opposes mandatory Social Security coverage.
- **Social Security and local government pensions:** Current law provides for reduced Social Security benefits if an employee retires from a local agency and is also eligible for Social Security benefits for work performed at another employer that participated in Social Security. This occurs through either the Windfall Elimination Provision (WEP), because of the employee's own Social Security account, or the Government Pension Offset (GPO), because of the employee's access to the account of a spouse or ex-spouse. Because of these provisions, a potential employee who has spent the majority of his or her career in the private sector could be disinclined to consider a position in the public sector because of the associated decrease in the Social Security benefit. The City supports modifying the legislation so that City employees are not penalized for work performed in addition to their local government service.
- **Pension reform:** Employer costs for the State's defined benefit retirement system (CalPERS) have increased significantly in recent years, due in large part to significant investment losses sustained by CalPERS. The Legislature continues to explore various means of achieving cost control and budget certainty. The City supports pension reform, provided that it achieves savings without imposing additional costs.
- **Retiree medical:** As a result of a Governmental Accounting Standards Board (GASB) change, local agencies are now required to account for their liability for retiree medical benefits, also known as Other Post-Employment Benefits (OPEB). Instead of accounting for these benefits on a pay-as-you-go basis, which is what many local governments did, agencies are now required to report their annual OPEB costs and their unfunded actuarial liabilities for past service costs. The new GASB requirements are intended to improve transparency in government accounts by making it easier to determine the future liability for OPEB expenses for a given government and to assess whether the government has a strategy for meeting these requirements. The California Public Employees' Retirement System is

offering local agencies a program to pre-fund their OPEB obligations. While the City may choose to participate in such a program in the future, the City opposes any legislation that would make such participation mandatory. The City does, however, support legislation that expands the universe of employee self-funded medical benefits on a tax-advantaged basis under State law in coordination with programs and funding mechanisms developed under federal law.

### **Environment**

- **Recycling:** The City supports continuation of existing California Integrated Waste Management Act (AB 939) waste diversion requirements. The City also supports diversion measurement and reporting improvements that do not adversely impact the assessment of compliance efforts made by local jurisdictions. Local jurisdictions should be considered in compliance with AB 939 goals if they have met the waste diversion goals or if they are making a good faith effort to implement applicable Source Reduction and Recycling Element (SRRE) programs.
- **Sustainable development:** The City supports legislation that provides financial and technical support to local government in implementing sustainable development practices such as transit-friendly development, “green building,” and other sustainable practices.
- **Climate protection:** The City supports legislation and policies that assist local government in meeting or exceeding locally established goals of reducing global warming pollution levels to 25% below the 2005 levels by 2020. These efforts may include reducing dependence on fossil fuels, developing alternative energy resources, and developing fuel-efficient technologies.
- **Local autonomy:** The City opposes legislation that preempts local planning decisions regarding solid waste facility sites, preempts local solid waste and AB 939 fee setting authority, or imposes taxes or fees on local solid waste programs to fund State programs not directly related to solid waste management.
- **Landfill:** The City supports legislation and the development of alternative technologies that mitigate the environmental impact of landfills.
- **Litter control and abatement:** The City supports legislation to address litter control and abatement problems in California, including measures that assist local and regional jurisdictions with enforcement and abatement, and expand the authority of the California Highway Patrol to include enforcement measures for any vehicle generating litter on public roads; provide for effective enforcement of anti-litter laws; implement a strong statewide anti-litter outreach campaign; and provide funding for cleanup of littered areas. The City supports development of regulations that reduce the use of single-use carry out bags and resulting litter and waste, and encourages the use of durable reusable bags.
- **Producer responsibility:** The City supports legislation to require manufacturers or retailers to assume financial and/or physical responsibility for the costs of collecting, processing, recycling, or disposing of products at end-of-life, especially products that create significant economic burdens on local government for end-of-life management because high volumes of the material exist in the waste stream, or because the nature of the product makes it difficult to manage in the current integrated waste management system; including computer, electronic and other products that incorporate hazardous materials requiring special handling.
- **Recycled product market development:** The City supports legislation encouraging manufacturers to include post-consumer recycled material in their products, and encouraging State and local government agencies and school districts to purchase products made with post-consumer recycled material, that reduce waste, and that reduce toxicity of materials that may be discarded or disposed in the future.

- **Stormwater program funding:** The City supports legislation that would make it easier for cities to fund and comply with new and increasingly stringent storm water quality permit requirements, including adding fees for storm water management programs to those voter-approved exemptions already included in Proposition 218.

### **Homeland Security and Public Safety**

- **Reimbursement:** Since the events of September 11, cities have had to assume additional staffing and equipment costs for emergency preparedness and public safety. Although local governments are usually the first to respond in cases of natural disasters and acts of terrorism, they receive little financial and technical assistance from the State and federal governments. The City supports legislation to provide resources for emergency planning, training, exercises, and equipment for emergency workers.
- **COPS funding:** The City supports funding for the Citizens' Option for Public Safety (COPS) program, which helps pay for police officer salaries and benefits. One of the funding mechanisms employed in recent years has been an increase in vehicle registration fees. This increase will sunset in FY 2010/11. The City supports legislation to retain funding for this program.
- **Fire service funding:** The City supports funding for disaster preparedness and training, including the Staffing for Adequate Fire and Emergency Response (SAFER) program, which helps pay for firefighter salaries and benefits, and funding for the Metropolitan Medical Response System (MMRS).
- **Fire protection in schools:** The City supports requiring the installation of automatic fire sprinkler systems in new and remodeled schools. The City has a comprehensive fire sprinkler ordinance that requires fire sprinkler systems to be installed in all new buildings and existing apartment buildings with internal corridors accommodating ten or more apartments. Because public schools fall under the State's jurisdiction, however, this life- and property-saving ordinance does not apply to them.
- **TASERs:** The City does not oppose further research efforts on the effects of the TASER, a less-lethal weapon that can protect police officers from injuries suffered during arrests. However, the City does oppose a ban or severe restrictions on the use of the TASER while any study is being conducted. Should such a study be commissioned, local law enforcement must be included in the development of a study plan.
- **Interoperability:** The City supports funding for interoperability initiatives to better facilitate coordinated and effective emergency response by police, fire, EMS, and non-public safety departments in cities and across regional jurisdictions.

### **Human Services**

- **Additional funding for Multipurpose Senior Service Program:** The Multipurpose Senior Service Program (MSSP) diverts nursing home-eligible elders from institutional placement. Forty-one sites, including Fremont, provide care management for frail elderly clients who must be certified for placement in a nursing facility but who choose to live at home with MSSP support. The program is a cost-effective alternative to nursing homes, and every dollar the State spends on MSSP is matched by a federal dollar. The MSSP program has had only one small increase in funding in 22 years. The City, therefore, supports increasing State funding for this important program through the passage of a cost-of-living adjustment and an increase in the number of participant slots available for the program.
- **Services for seniors:** The City opposes funding cuts for community-based programs that serve seniors, and supports cost-of-living adjustments for Social Security and other entitlement programs.

- **Medi-Cal access and health care funding:** The City supports easing access to Medi-Cal so that more needy people can qualify for benefits. In addition, the City supports reducing the bureaucratic hurdles that make it difficult for those who qualify for Medi-Cal to receive the benefit. In addition, the City supports expanding funding for health care for low-income and/or medically indigent individuals.
- **CalWorks:** The City opposes any reductions in the CalWorks program, including reductions in the time beneficiaries are allowed to receive welfare benefits.
- **At-risk youth:** The City supports funding for programs, such as Proposition 49 and Proposition 10, which provide early intervention to reach at-risk youth of all ages.
- **Family resource centers:** The City supports funding for family resource centers, which provide comprehensive integrated programs to improve the quality of life and strengthen individuals, teens, and families through services and activities.
- **Economic self-sufficiency:** The City supports funding for family economic self-sufficiency programs such as money management classes, Individual Development Accounts (IDAs) and the Volunteer Income Tax Assistance (VITA) program, which helps low-income individuals file their tax returns and qualify for the various credits and deductions available to them.
- **Services for special populations:** The City supports providing funding for affordable housing and other supportive services for special populations like people living with AIDS or other disabilities and the mentally ill.
- **Mental health:** The City supports providing funding for community education about the value of early intervention and treatment for mental disorders, including substance abuse. The City also supports enforcement of regulations requiring that health insurance policies treat addiction and mental illness on a par with other illnesses.

### **Land Use**

- **Preservation of local land use authority:** The City opposes legislation that would remove or limit local government land use authority.
- **Housing elements:** The City opposes legislation that penalizes local governments for non-compliance with their housing element requirements, since the compliance is based on several factors, like the economy, that are not within the control of local government. Proposed penalties have included loss of gas tax funds and court-ordered penalties for non-compliance.

### **Parks and Recreation**

- **Playground safety guidelines:** Playground safety guidelines are often manufacturer-driven but devolve to local governments as State mandates. The City supports legislation that protects cities from liability for use of playgrounds, and supports ensuring that all new safety mandates come with associated funding to help cities comply with the guidelines.
- **Day camps:** The State's Health and Safety Code exempts city recreation programs from registering as child daycare providers, but only if those programs are operated for a total of 12 or fewer weeks during a 12-month period. This total applies to any 12 weeks within a 12-month period, without regard to whether the weeks are consecutive. As a consequence, school-aged children have fewer safe, fun options for spending their vacation days, and their working parents must find alternate, possibly more expensive activities for them. The City opposes legislation that limits the City's ability to offer day camp programming during the summer and other school vacations.

## **Redevelopment**

- **State takeaways - Educational Revenue Augmentation Fund (ERAF):** Redevelopment agency funds have been periodically subjected to sudden and unanticipated State takeaways to fund ERAF as part of the State's efforts to balance its budget. The City strongly opposes any State takeaways of redevelopment funds on the grounds that they are unconstitutional and impair orderly funding of critical redevelopment activities. In addition, the City supports the legal challenge brought by the California Redevelopment Association to nullify the State's unconstitutional raids on redevelopment funds and supports the proposed constitutional ballot measure to further protect local revenue sources.
- **Special legislation – major regional manufacturing facilities reuse:** The City supports legislative efforts to facilitate and streamline the process for adoption of redevelopment plans to address the closure of major regional manufacturing facilities, similar to past legislation for closed military bases.
- **Clarification efforts regarding past legislation:** The City urges new legislation to clarify AB 1290 statutory pass-through payment ambiguities to give certainty to redevelopment agencies and county auditors in calculating, reporting and paying statutory pass-through payments in accordance with AB 1290. This includes clarification of the accounting and reporting treatment for ERAF payments and consistency in the assumptions and methodology for calculations of these payments.
- **Benefits of redevelopment:** Redevelopment has been, and continues to be, an effective tool for the financing and development of housing, infrastructure and commercial/industrial facilities in the State, as well as a major source of employment, income and tax revenue for local communities. To date, despite the important role of redevelopment in California, there has not been an emphasis on documenting the comprehensive economic impact of redevelopment activities statewide. The City supports continued efforts to assess the social and financial benefits of redevelopment, including number of jobs created, taxes generated from redevelopment agencies, and other community benefits, and to collaborate with other Bay Area agencies in promotion of such data.
- **Affordable housing:** Fremont continues to be firmly committed to the production of high quality, affordable housing for a range of income levels and target populations such as families, seniors and those with special needs. Any State takeaways of Redevelopment Agency Affordable Housing Funds would severely impact the Agency's current and future development projects. There should also be recognition that due to the multi-source nature of financing, affordable housing developments generally require three to five years to build the equity necessary to complete a project. Therefore, Affordable Housing Funds should be considered encumbered once the Agency Board has passed a resolution or taken some other formal action to reserve funds for a particular housing development or program.

In addition, the City joins other communities across the State in urging the creation of a long term funding source that is dedicated to financing housing that is affordable to a range of incomes, from extremely low to moderate. The City agrees that the State should continue its current programs, with future distribution of funds at both State and local levels. The City also encourages multiple sources of funding to ensure stability.

## **Revenue and Taxation**

- **Fiscal reform:** Since 1991, the State has drained nearly \$38 billion of local property taxes from cities, counties and special districts - costing cities alone almost \$9 billion over the last 12 years. Even in years of budget surpluses, the State has used local funds to finance its constitutional funding obligation to public education, allowing it to increase State general fund spending for other programs

at the expense of vital local services. The passage of Proposition 1A on the November 2004 ballot guaranteed the City some measure of protection against future State raids. Under the terms of Proposition 1A, however, the State can proclaim “severe fiscal hardship” and once again “borrow” local revenues, twice within a ten-year period and providing prior loans have been repaid. Local government cannot continue to subsidize the State. Every time Sacramento dips into local coffers to help balance its budget, cities and counties must cut critical local services like public safety and maintenance. The City opposes State efforts to “borrow” additional local revenues and encourages the State to find other ways to balance its budget. If the State does borrow despite local governments’ protests, the loan should be repaid at an appropriate rate of interest.

- **Lower threshold for local taxes:** Local governments cannot easily raise revenues. Taxes to fund specific, important services, like park and street maintenance, public safety, and library hours, must be approved by a two-thirds majority of the voters. This high vote requirement makes it extremely difficult for many cities to raise needed monies. The City therefore supports a constitutional amendment to lower the threshold for approval of local taxes to either 55% (the same requirement schools now face) or to a simple majority.
- **E-commerce:** Sales of goods and products over the Internet pose a serious threat to the City’s overall sales tax revenue base. At a minimum, the Legislature should enact legislation to close the loophole in current law that allows corporations with a physical presence, or nexus, in California to evade their sales and use tax obligations by setting up related web-based businesses based outside California.
- **Gas tax:** As the State continues to grapple with its budget challenges, one proposal calls for replacing the Proposition 42 sales tax on gas tax (paid at the pump by the consumer) with an excise tax (imposed on the producer). By changing the nature of the revenue source, it becomes available to support State general fund activities, rather than being restricted to gas tax-eligible uses. The City opposes any efforts by the State to ease fiscal restrictions at the expense of local government. In this specific situation, absent a backfill, , cities would lose significant amounts of money that fund basic street maintenance activities.
- **Flexibility in use of funds:** The State has discovered that it can change rules regarding funds normally devoted to specific purposes to deal with its budget crisis. Since the State has decided that it must burden local governments with some share of its budget problem, then it should help mitigate that burden by loosening restrictions on restricted funds. Though it provides no fiscal relief, any rules relating to maintenance of effort (MOE) should be suspended. Until local and State government finance is reformed, restrictions should be lifted to provide the highest levels of discretion to elected representatives to manage the financial affairs of their jurisdictions.

### **Telecommunications**

The City supports legislation to ensure consumer access to efficient, cost-effective and innovative telecommunication services.

- **Build-out of facilities:** Address a reasonable timeframe for deployment of telecommunications services by providers that includes a clear plan for sequencing of the build-out of facilities within an entire franchise area.
- **Revenues from telecommunications:** Protect the authority of local governments to collect revenues from telecommunications providers and ensure that any future changes are revenue neutral for local governments.
- **Use of public rights-of-way:** Support local government’s ability to regulate use of public rights-of-way. Local governments are important and proven stewards of the public rights-of-way and are



pivotal in helping to prevent public safety issues resulting from overcrowding and improper use; ensuring local emergency (911) services are provided; and addressing customer service and local business concerns.

- **Municipal broadband networks:** Preserve local authority to deploy and operate municipal broadband networks, either through public-private partnerships or systems wholly owned by the municipality.

### **Transportation and Infrastructure**

- **Lower threshold for approval of transportation sales taxes:** The City supports a constitutional amendment to lower the threshold for approval of sales and use taxes for transportation purposes. Currently, such taxes must be approved by two-thirds of the voters. The City supports lowering the requirement to either 55% (the same requirement schools now face) or to a simple majority.
- **Fuel tax increase:** The voters last increased the State fuel tax in June 1990 when Proposition 111 passed. This measure doubled the State fuel tax to 18 cents a gallon. Since then, California's fuel tax rate has lost much of its buying power. The City supports fuel tax indexing or an increase to provide additional funding for local street projects and especially maintenance.
- **State funding for grade separations:** The State of California has funding set aside to assist local governments in completing grade separation projects. Such projects enhance a community's quality of life by improving safety for autos, bicycles and pedestrians, and reducing both the noise from train whistles and the traffic delays that accompany trains crossing busy intersections. However, cities are having tremendous difficulty accessing the funding. The California Code of Regulations (Title 21, Section 1554) requires an "agreement that railroad or railroads shall contribute a minimum of 10 percent of the cost of the project without a maximum dollar limitation on the railroad's contribution, except that the contribution may be less than 10 percent of the cost of the project where expressly so provided by law." In interpreting this regulation, CalTrans has held that railroads must pledge to contribute a minimum of 10 percent of the actual final project cost, not of the estimated cost of the project. The railroads are reluctant to agree to this because the final project cost and, therefore, the required contribution cannot be known until the project is complete. This means the railroad would have to agree to an unknown, uncapped contribution. The City supports legislation to clarify that the railroads' required contribution shall be a minimum of 10 percent of the estimated project cost.
- **Preservation of eminent domain for infrastructure:** The negative public reaction to the Supreme Court's decision in the *Kelo* case threatens traditional uses of eminent domain for acquisition of property needed for public infrastructure projects. Reform proposals that would increase the costs to acquire property would have a direct negative impact on the public. Proposed measures that would prohibit acquisition of residential property through eminent domain could stop projects needed for safety and capacity, such as widening streets. The preservation of this core use of condemnation authority is critical.
- **Transit use and wetlands:** The objective of the Clean Water Act (CWA) is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." The CWA, therefore, prohibits the discharge of dredged or fill material into the waters. The CWA does allow for some discharges but requires compensatory mitigation to replace the loss of wetland functions in the watershed. Compensatory mitigation is defined as, "the restoration, creation, enhancement, or in exceptional cases preservation of wetlands and/or other aquatic resources for the purpose of compensating for unavoidable impacts." In California, the Department of Fish and Game usually requires three acres of wetlands be set aside for every one acre of wetlands damaged. While

preserving wetlands is an important goal, the City supports legislation to reduce the requirement when other public purposes, such as transit, are served by a project. Providing for a transit facility, and thereby minimizing traffic and its associated pollution, will ultimately help the environment and protect the wetlands, possibly more than compensatory mitigation requirements. But such facilities may not be financially feasible once the cost of the compensatory mitigation is factored into the project's total cost.

- **Peak congestion:** The City supports legislation to provide funding to help mitigate the traffic impacts of projects that create peak period congestion.
- **Economic stimulus for infrastructure projects:** The City supports State and federal legislation to provide funds for local government infrastructure projects. Specifically, the City supports recommendations developed by the International City/County Management Association, National League of Cities, and National Association of Counties that encourage funding for infrastructure projects that can be initiated quickly; projects that focus on retrofitting existing building for energy efficiency; support for individuals through State and local programs that provide job training and public employment; and local government access to capital through the purchase of municipal bonds directly by the Treasury Department and the Federal Reserve. In addition, the City supports the requirement that rating agencies use comparable ratings for all securities to better reflect the financial soundness of municipal bonds.

### **FUNDING PRIORITIES**

1. **Warm Springs BART Extension:** The extension of BART from Fremont to Silicon Valley is the City's top transportation priority. The Warm Springs Extension is fully funded, but the State funding component has been delayed due to delays in State transportation bond sales. Should additional funding be required as the project proceeds, the City will support BART's pursuit of additional regional, State or federal funds.
2. **Auto Mall Parkway between I-680 and Osgood Road:** When the Warm Springs BART Extension opens, traffic from I-680 trying to reach the Warm Springs BART station will increase the already congested segments on Auto Mall Parkway between I-680 and Osgood Road and on Mission Boulevard between I-680 and Warm Springs Boulevard. The City supports seeking regional, State or federal funding to assist with making the necessary improvements to either of these roadway segments to mitigate some of the BART impacts. **Estimated shortfall: \$4 - \$5 million.**
3. **Warm Springs BART West Entrance:** When the Warm Springs BART station is constructed, it will be designed to have access from both the east side of the station, toward the BART parking lot, and the west side of the station, toward NUMMI. However, the current Warm Springs Extension Project only has funding for station access from the east. With the pending closure of the NUMMI auto assembly plant, the City desires to provide access from the west side of the BART station to the large NUMMI parcel to facilitate its development/redevelopment. To that end, the City supports the use of regional, State or federal funding to provide access from the NUMMI area, over the Union Pacific Railroad tracks into the west side of the BART station. **Estimated shortfall: \$11 million.**
4. **Mission Boulevard/I-880 Interchange Improvement Project:** The City is working with the Alameda County Transportation Authority (ACTA), CalTrans, and the Santa Clara Valley Transportation Authority (VTA) on a project to improve the Mission Boulevard interchange area. Phase IA of the project has been completed. Phase IB includes widening Mission Boulevard and constructing on and off ramps from Mission Boulevard to Kato Road, which were removed in

Phase IA. Phase II includes a grade separation at Warren Avenue to facilitate the BART extension to San Jose and eliminate the Union Pacific Railroad grade crossings that are routinely blocked by freight trains. The project also requires changes to the Truck-to-Rail Transfer Facility south of Warren Avenue to accommodate the Warren Avenue Grade Separation and the future BART extension improvements. The City has committed over \$40 million to the project, including almost \$8 million of City-owned right-of-way. **Estimated shortfall for Phases 1B and 2: None at this time, but design is only 95% complete and final construction estimates have not been prepared.**

5. **Irvington BART Station:** As far back as 1979, plans for the Warm Springs BART Extension have assumed the extension would include an Irvington BART Station located near the intersection of Washington Boulevard and Osgood Road. In the 1980s, when the Metropolitan Transportation Commission (MTC) established funding priorities for new rail transit starts and extensions in MTC Resolution 1876, it was agreed that BART extensions to Pittsburg, Dublin, and Warm Springs would all add two new stations. However, due to funding constraints, BART's supplemental EIR included the Irvington Station as a future station. The City, through its Redevelopment Agency, is pursuing funding for the Station by amending its Redevelopment Plan. However, the City and Agency recommend seeking regional, State and federal funding for the Irvington Station to offset a portion of the Agency's cost. **Estimated cost: \$99 million (in 2008 dollars).**
6. **Street/Pavement Rehabilitation:** The City's streets are our highest valued capital asset, with an investment of over \$1 billion. As any street system ages and traffic loading increases (caused by increasing traffic, changes in bus routes and the use of heavier waste hauling and delivery trucks), the long-term maintenance needs increase. The City's Pavement Management System (PMS) has identified approximately \$190 million in needed pavement maintenance over the next five years. That level of funding would bring the entire street system up to a Pavement Condition Index (PCI) of 78. The optimal PCI is 83. After one-time federal and State funding is exhausted, the City only has funding for approximately \$4.8 million annually for pavement rehabilitation projects. **Estimated shortfall: \$160 million over the next five years.**
7. **Interoperability:** After a review of the existing disparate and aging analog radio systems used by cities in Alameda and Contra Costa counties, it became clear that the best solution to ensure effective communications among multiple agencies in a regional emergency is to build a single radio communications system using today's technology. The City Council authorized the City to participate in the East Bay Regional Communications System Joint Powers Authority (EBRCSA) in July 2007 to build an interoperable radio communications system for cities in both counties. EBRCSA has received almost \$35 million in grants to build some of the new repeater sites. It is estimated that an additional \$34.7 million to \$38.8 million is needed to complete the P-25 digital radio communications system. EBRCSA is actively pursuing funding through additional grants and other sources to make up this shortfall. The City also needs to purchase radio equipment by 2013 to be compatible with the EBRCSA radio system and to be compliant with the radio standard, P-25. Although the radios used by the Fremont Fire Department were recently replaced through the Assistance for Firefighters Grant (AFG) in FY 2008/2009, the radios and some infrastructure used by other City departments such as Police, Maintenance, Recreation, Building Inspection, Construction and Landscape, need to be replaced. The City currently has a partially funded Capital Improvement Project with a balance of \$1.8 million in FY 2009/10, which will be used to purchase replacement radios for the Police Department. The total project cost to replace radios used by the other City departments together with fixed equipment and antennas is \$5.7 million. **Estimated shortfall: up to \$3.9 million.**

8. **I-680/I-880 Cross Connectors:** The City has been working with Alameda County Transportation Improvement Authority (ACTIA), the Alameda County Congestion Management Agency (CMA) and VTA regarding improving one or more connections between I-680 and I-880, called “cross connectors”. VTA has completed an evaluation of the short-term and long-term projects encompassed by the cross connector study. The “short-term” improvements include improvements to the I-680/Mission Boulevard interchange and the widening of Mission Boulevard between Warm Springs Boulevard and I-680 (estimated cost \$65 million); widening of Auto Mall Parkway to six lanes (estimated cost \$40-\$45 million); and widening Fremont/Grimmer Boulevards at grade to six lanes (estimated cost \$55-\$66 million). Neither the City nor VTA has been able to identify any funding for these projects. **Estimated shortfall: \$160 - \$171 million.**
9. **ADA Compliance for Intersections:** The City desires to upgrade or install intersection ramps to comply with the latest Americans with Disabilities Acts (ADA) standards within the public right-of-way. The new ramps will meet the ADA requirements for slopes, landings, and detectable warning surfaces. The ramps will improve the accessibility of public sidewalks, and the detectable warning surfaces will alert visually impaired pedestrians to the presence of an intersection. **Estimated shortfall: \$45 million.**
10. **Sidewalk Repair:** The City’s infrastructure, in many areas, is over fifty years old, and the street trees are just as old or older. The roots from these street trees can displace pavement and cause hazardous conditions for pedestrians and cyclists. The City now provides temporary patches and has a long-term plan to fix sidewalks. However, the needs exceed the City’s available resources. As the City ages, this problem will grow unless funds can be secured to increase capacity to deal with the street trees and sidewalks. **Estimated shortfall: up to \$25 million.**
11. **Citywide Fiber Optic and Intelligent Transportation Systems (ITS) Deployment:** As the City’s existing copper signal interconnect cable (that communicates media for the City’s traffic signals) ages and becomes obsolete, it needs to be replaced by high bandwidth fiber optic cable. The use of fiber optic cable provides unlimited possibilities to serve other City needs and facilities not available in the past with copper interconnect cable. Fiber optic cables can link traffic signals, closed circuit television cameras, and changeable message signs. In addition, the use of fiber optic cable gives the City the ability to provide a more secure and reliable high bandwidth connection to other City facilities, such as fire stations, community centers, recreation centers, and libraries. These facilities are either not connected at all, or they are on less reliable, lower bandwidth, leased lines. Installing fiber optic cable also gives the City the opportunity to provide wireless private and public “hotspots” at high-density public gathering places. These hot-spots will facilitate emergency response by providing both police officers and firefighters with the same online computer access in their vehicles on the street as they would get if they were sitting in a City office. This project, which can be phased and constructed on a segment-by-segment basis, would install fiber optic cable throughout Fremont to interconnect facilities such as traffic signals, fire stations, community centers, recreation centers, and libraries. In addition, the installation of closed circuit television cameras and changeable message signs throughout the City would enable staff to better manage and direct traffic. **Estimated cost: \$12 million.**
12. **Mowry Avenue Widening between Overacker Avenue and Mission Boulevard (under two active railroad bridges):** The segment of Mowry Avenue between Overacker Avenue and Mission Boulevard passes under two old narrow railroad bridges that force the roadway to narrow to one lane in each direction. This segment of Mowry is one of the most congested roadways in the City. In fact, this segment was determined to be “deficient” by the County’s Congestion Management Agency. To eliminate the bottleneck, this segment of Mowry Avenue needs to be

widened to two lanes in each direction. This requires demolishing and reconstructing both railroad bridges while maintaining freight service and widening the street. **Estimated cost: \$50 - \$55 million.**

**FISCAL IMPACT:** Varies.

**ENVIRONMENTAL REVIEW:** None required

**ENCLOSURE:** None

**RECOMMENDATION:** Adopt the 2010 Legislative Policies and Funding Priorities and authorize the Mayor to convey the Legislative Policies and Funding Priorities to Assemblymember Torrico and Senator Corbett.

**5.1 APPEAL OF DENIAL OF WANG FAMILY TENTATIVE PARCEL MAP (TPM #8265) – 46953 OCOTILLO COURT**

**Public Hearing (Published Notice) to Consider an Appeal of a Planning Commission Decision to Deny a Tentative Parcel Map Application (TPM 8265) to Subdivide a 1.02-acre Parcel into Two Single-Family Lots (PLN2009-00175) (Continued from January 12, 2010)**

**Contact Person:**

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The Planning Commission's denial of a residential lot subdivision into two roughly ½ acre lots is being challenged by the applicants, Michael and Mingchen Hsu Wang. The primary issue raised by the appeal is whether the proposed subdivision is consistent with the City's General Plan; specifically Land Use Goal #1, which encourages "New housing development while conserving the character of the City's existing single family neighborhoods." The Planning Commission found that approval of the lot split would not be consistent with the character of the neighborhood because it would detract from the existing large lot and spacious development pattern along Ocotillo Court. The Wangs' contend that: (a) the Commission defined the relevant neighborhood too narrowly; (b) neighborhood character is defined by more than just lot size; and, (c) that in any event, the proposed lot split meets or exceeds all established zoning and specific General Plan standards for lot size. This matter was considered by the City Council at its January 12, 2010 meeting. By a vote of 3-1 (with one abstention), the City Council directed staff to continue the hearing till January 26, 2010, and prepare findings for denial of the project based on general plan inconsistency. Staff has prepared findings for denial pursuant to Council's direction; they are included with this report as Attachment "A."

**ENCLOSURES:** [Attachment "A" – draft Findings for denial of the project](#)

**RECOMMENDATION:** Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guideline 15315; adopt the attached findings and deny the project based on general plan inconsistency.

## **6.1 Report Out from Closed Session of Any Final Action**

**7.1 GRIMMER BOULEVARD GREENBELT GATEWAY PHASE 1 CONTRACT AWARD**  
**Approval of Plans and Specifications and Award of Contract in the Amount of \$1,018,419**  
**to the Lowest Responsible Bidder for the Grimmer Greenbelt Gateway Phase 1 (Paseo**  
**Padre Parkway Intersection Improvements) Project, City Project No. 8679A (PWC)**

**Contact Person:**

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**Executive Summary:** The purpose of this report is to recommend that the City Council approve the plans and specifications for the Grimmer Boulevard Greenbelt Gateway Phase 1 (Paseo Padre Parkway Intersection Improvements) Project, City Project No. 8679A (PWC), reject the bid from the lowest bidder due to a non-responsive bid, accept the second lowest bid, and award the contract for construction to Gallagher & Burk, Inc., in the amount of \$1,018,419. Staff also recommends the appropriation of \$870,000 in unused Traffic Impact Fee funds from the Washington Boulevard/Paseo Padre Parkway Grade Separation Project, City Project No. 8156 (PWC).

**BACKGROUND:** As part of the Irvington Concept Plan adopted in April 2004, the Redevelopment Agency identified the Grimmer Boulevard Greenbelt Gateway Project from Fremont Boulevard to Central Park as one of the long-term projects for plan implementation. In June 2007, the City Council approved the Grimmer Boulevard Greenbelt Gateway Project as part of the 2007/08 – 2011/12 Capital Improvement Program. The centerpiece of the project is a 10-foot-wide pedestrian and bicycle path meandering through a landscaped greenbelt along a regraded creek bank on the west side of Grimmer Boulevard. The median on Paseo Padre Parkway will be reconfigured to provide a left-turn pocket, and the traffic signal at the intersection will be modified to accommodate the Water Park entrance. The project will also construct a bridge across the flood control channel east of Paseo Padre Parkway to accommodate the realigned Water Park driveway entrance directly across from Grimmer Boulevard. Finally, when traffic volume warrants and funding is available, Grimmer Boulevard between Fremont Boulevard and Paseo Padre Parkway will be widened from two lanes to four lanes with a 12-foot-wide landscaped median and bike lanes on both sides. Due to the complexity of the project as it relates to working with the County, PG&E and resource agencies on the creek work, and the need to accelerate elements of the work, the project was split into several phases for construction. Staff continues to work with Alameda County on Phase II preliminary design of the pathway and integral creek enhancements.

**Project Description** – The first phase of the project is to open up the intersection on Paseo Padre Parkway at Grimmer Boulevard to provide better traffic circulation at the intersection and better vehicular and pedestrian access to the Water Park. Construction will include median and signal modification on Paseo Padre Parkway and the widening of Grimmer Boulevard at the intersection. The project will also include landscaping of the Paseo Padre Parkway medians. Construction is expected to be complete before the opening of the Water Park 2010 season.



This phase of the project was initially planned for next fiscal year and was to be funded from Redevelopment Agency funds. After operation of the Water Park for one season, it became apparent that improvement to the Grimmer Boulevard/Paseo Padre Parkway intersection prior to the upcoming season would be beneficial. Therefore, alternate funding for a portion of the intersection project is needed to move it forward now. This intersection is eligible to receive Traffic Impact Fees (TIF) and there are sufficient unencumbered TIF funds remaining in the Washington Boulevard/Paseo Padre Parkway Grade Separation project to fund the required \$870,000 appropriation. These TIF funds are available as a result of unused contingencies on the grade separation project. However, these TIF funds ultimately will be needed for other TIF-eligible transportation projects and are being provided as an advance to allow early funding and completion of the Grimmer Boulevard/Paseo Padre Parkway intersection, with the understanding that the City may still seek ultimate redevelopment funding to reimburse the TIF for this advance, as initially planned and subject to compliance with all City and Redevelopment Agency Requirements for such ultimate redevelopment funding in accordance with the California Community Redevelopment Law.

The signal equipment at this intersection is outdated and needs to be upgraded with new equipment that meets current standards and is more energy efficient. All existing poles, vehicle and pedestrian signal heads, pedestrian push buttons, conduits and the traffic signal controller cabinet will be replaced. In order to reduce the potential for signal pole knockdowns, the existing signal poles mounted in the median will be removed and replaced with new signal standards with longer mastarms that will be placed behind the curb.

To increase the visibility of the signal heads, all new 12-inch signal heads will be installed. The signal modification will also include the installation of Accessible Pedestrian Signals (APS), countdown pedestrian indicators and the installation of energy saving Light Emitting Diode (LED) light sources for all vehicle and pedestrian signal heads. The signal modification will also be constructed to accommodate the driveway into the Water Park. The existing crosswalk on the east side of the intersection across Paseo Padre Parkway will be relocated to the west side of the intersection so that it will be a direct connection to the future Grimmer Boulevard Greenbelt pedestrian path that will be constructed on the west side of Grimmer Boulevard.

On Paseo Padre Parkway, the median on the eastern side will be removed and the medians on the western side will be connected from Baylis Street to Grimmer Boulevard, widened (width ranging from 16 feet to 28 feet) and landscaped. This will eliminate the current median opening at Rockett Drive. Vehicular access from Rockett Drive to northbound Paseo Padre Parkway can be made by making a U-turn at the signalized Grimmer Boulevard intersection. The un-signalized pedestrian crosswalk at Rockett Drive will be eliminated. New ADA compliant curb ramps at the intersections of Paseo Padre Parkway and Rockett Drive, and Paseo Padre Parkway and Grimmer Boulevard will be constructed, and bike lanes on Paseo Padre Parkway will be installed. The proposed construction will improve the traffic circulation at the intersection of Paseo Padre Parkway and Grimmer Boulevard and accommodate improved access to the Water Park and the streetscape on Grimmer Boulevard.

**DISCUSSION/ANALYSIS:**

**Bid Results:** The project was advertised and bids were opened on December 23, 2009. The bidders with their respective bid amounts are as follows:

<b><u>BIDDER</u></b>	<b><u>TOTAL BID</u></b>	<b><u>RANK</u></b>
C. F. Archibald Paving	\$992,699.68*	1*
Gallagher & Burk, Inc.	\$1,018,419.00	2
Top Grade Construction	\$1,038,359.25	3
RGW Construction	\$1,066,333.00	4*
Wattis Construction	\$1,075,509.05	5
O'Grady Paving	\$1,081,410.90	6
Joseph J. Albanese	\$1,111,353.55	7
Bay Cities Paving	\$1,120,573.30*	8
Interstate Grading & Paving	\$1,124,193.90	9
Granite Construction	\$1,144,212.87	10
J.A. Gonsalves & Son	\$1,149,695.85	11
Fanfa Inc.	\$1,158,218.20	12
McGuire & Hester	\$1,167,925.00	13
Guerra Const. Group	\$1,173,761.94*	14
Granite Rock dba Pavex	\$1,188,867.50*	15
Engineer's Estimate	\$1,425,000.00	

\* Mathematically corrected

Staff recommends that council reject the bid of the apparent low bidder, C. F. Archibald Paving, as nonresponsive due to a failure to properly complete the bid forms in accordance with the requirements of the bid documents. Section 3 of the instructions to bidders requires the bidders to fill in all the blanks in the bid forms. Here, C.F. Archibald Paving failed to execute its bid proposal (on Page 8 of 16 of the bid) as required by the Instruction to Bidders. Also, C.F. Archibald Paving did not provide bid item extended prices for any the 81 bid items listed in the bid proposal. The bid form requires bidders to “provide a bid item unit price and a bid item extension (bid item unit price multiplied by bid item estimated quantity equals bid item extension)”. The bid form does provide that in case of a math error or ambiguity, bid item unit prices shall prevail over the bid item extensions, but does not contemplate a failure to provide any bid item extensions. In addition, although C.F. Archibald Paving included a grand total in their bid, when staff performed the bid extensions the grand total amount was incorrect (under computed by more than \$100,000). All of these defects render the bid nonresponsive.

The City received a formal bid protest of C. F. Archibald's bid from the second low bidder, Gallagher & Burk, Inc. C.F. Archibald Paving provided a response to the bid protest. Both letters are attached to this report.

C.F. Archibald Paving characterizes its bid defects as waivable minor irregularities. Gallagher & Burk argues that the failure to fill in the extended prices is not a waivable minor irregularity. Under applicable law, the Council does have discretion to waive minor irregularities in a bid. However, the law also authorizes the City to reject as nonresponsive any bid that is not properly completed, and the courts have held that a bidder cannot compel the City to waive minor irregularities. Staff believes that taken together, the bidder's failure to properly execute the bid form and to fill in any of the extended prices for the 81 bid items, renders the bid nonresponsive.

Accordingly, since C. F. Archibald failed to comply with all the requirements of the bid documents, staff recommends that City Council reject C. F. Archibald's bid as non-responsive and award the project to the second bidder, Gallagher & Burk, Inc. Gallagher & Burk, Inc., submitted a responsive bid, is experienced in this type of project, and is a responsible contractor.

**FISCAL IMPACT:**

**Maintenance Impact:** The pruning and weed control of the proposed medians will be similar to the maintenance for the existing medians. The annual cost of maintenance for labor and materials for this project phase is within the existing operating budget.

**Project Cost and Funding:** The following is a summary of the estimated total project cost:

Engineering, Landscape & Traffic Signal Design & Administration	\$230,000
Construction Contract (Low Bid)	\$1,018,419
(Includes \$129,600 in construction contingency)	
Construction Inspection, Surveying and Administration (estimate)	\$150,000
Project Contingencies	<u>\$100,000</u>
<b>Total Estimated Cost:</b>	<b>\$1,498,419</b>

Proposed project funding is as follows:

<u>Source</u>	<u>Description</u>	
Fund 951	Redevelopment Funds	\$630,000
Fund 531	Traffic Impact Fees from 8156(PWC)*	<u>\$870,000</u>
	<b>Total Estimated Available Funding</b>	<b>\$1,500,000</b>

\* Staff recommends a transfer of \$870,000 in Traffic Impact Fees from Washington Boulevard/ Paseo Padre Parkway 531PWC 8156 to Grimmer Green Belt Gateway 531PWC 8679.

**Environmental Analysis:** This project is categorically exempt under Section 15301 (c) of the Guidelines for the California Environmental Quality Act (CEQA) as a minor alteration of an existing facility. A Notice of Exemption/Statement of Exemption was filed with the County Clerk on December 14, 2009.

**ENCLOSURE:** [Landscape and Striping Schematic Design](#)

**RECOMMENDATION:**

1. Approve the Plans and Specifications for the Grimmer Boulevard Greenbelt Gateway Phase 1 (Paseo Padre Parkway Intersection Improvements) project, City Project No. 8679A (PWC).
2. Reject the bid from the lowest monetary bidder, C. F. Archibald Paving, Inc., as a non-responsive bid.
3. Accept the bid and award the construction contract for Grimmer Boulevard Greenbelt Gateway Phase 1 (Paseo Padre Parkway Intersection Improvements) project, City Project No. 8679A (PWC) to the second bidder, Gallagher & Burk, Inc., in the amount of \$1,018,419 and authorize the City Manager or his designee to execute the contract.
4. Authorize the transfer of appropriation of \$870,000 from Washington Boulevard/Paseo Padre Parkway Grade Separations 531 PWC 8156 to Grimmer Boulevard Greenbelt Gateway 531 PWC 8679.

## 8.1 Council Referrals

### 8.1.1 MAYOR WASSERMAN REFERRAL: Appointments and Reappointments to advisory bodies with terms expiring as follows:

#### **Appointments:**

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
Senior Citizens Commission	J.R. Thomas	December 31, 2013

#### **Reappointments:**

<i>Advisory Body</i>	<i>Appointee</i>	<i>Term Expires</i>
East Bay Regional Park Liaison Committee	Roman Reed (Recreation Commission Rep.)	December 31, 2012

Frank Pirrone (Recreation Commission Alternate)	December 31, 2011
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George W. Patterson House  
Advisory Board

John Christman (Recreation Commission Rep.)	December 31, 2013
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ENCLOSURES: [Commission Application](#)

## 8.2 Oral Reports on Meetings and Events



## ACRONYMS

ABAG.....	Association of Bay Area Governments	FUSD .....	Fremont Unified School District
ACCMA.....	Alameda County Congestion Management Agency	GIS .....	Geographic Information System
ACE .....	Altamont Commuter Express	GPA.....	General Plan Amendment
ACFCD .....	Alameda County Flood Control District	HARB .....	Historical Architectural Review Board
ACTA .....	Alameda County Transportation Authority	HBA .....	Home Builders Association
ACTIA .....	Alameda County Transportation Improvement Authority	HRC .....	Human Relations Commission
ACWD .....	Alameda County Water District	ICMA .....	International City/County Management Association
BAAQMD .....	Bay Area Air Quality Management District	JPA .....	Joint Powers Authority
BART .....	Bay Area Rapid Transit District	LLMD .....	Lighting and Landscaping Maintenance District
BCDC .....	Bay Conservation & Development Commission	LOCC .....	League of California Cities
BMPs .....	Best Management Practices	LOS .....	Level of Service
BMR .....	Below Market Rate	MOU .....	Memorandum of Understanding
CALPERS.....	California Public Employees' Retirement System	MTC.....	Metropolitan Transportation Commission
CBD .....	Central Business District	NEPA .....	National Environmental Policy Act
CDD.....	Community Development Department	NLC.....	National League of Cities
CC & R's .....	Covenants, Conditions & Restrictions	NPDES.....	National Pollutant Discharge Elimination System
CDBG .....	Community Development Block Grant	NPO.....	Neighborhood Preservation Ordinance
CEQA .....	California Environmental Quality Act	PC.....	Planning Commission
CERT .....	Community Emergency Response Team	PD .....	Planned District
CIP .....	Capital Improvement Program	PUC.....	Public Utilities Commission
CMA .....	Congestion Management Agency	PVAW .....	Private Vehicle Accessway
CNG.....	Compressed Natural Gas	PWC.....	Public Works Contract
COF .....	City of Fremont	RDA .....	Redevelopment Agency
COPPS .....	Community Oriented Policing and Public Safety	RFP .....	Request for Proposals
CSAC.....	California State Association of Counties	RFQ.....	Request for Qualifications
CTC .....	California Transportation Commission	RHNA .....	Regional Housing Needs Allocation
dB .....	Decibel	ROP.....	Regional Occupational Program
DEIR.....	Draft Environmental Impact Report	RRIDRO.....	Residential Rent Increase Dispute Resolution Ordinance
DO .....	Development Organization	RWQCB .....	Regional Water Quality Control Board
DU/AC.....	Dwelling Units per Acre	SACNET .....	Southern Alameda County Narcotics Enforcement Task Force
EBRPD .....	East Bay Regional Park District	SPAA .....	Site Plan and Architectural Approval
EDAC .....	Economic Development Advisory Commission (City)	STIP .....	State Transportation Improvement Program
EIR.....	Environmental Impact Report (CEQA)	TCRDF.....	Tri-Cities Recycling and Disposal Facility
EIS .....	Environmental Impact Statement (NEPA)	T&O .....	Transportation and Operations Department
ERAF .....	Education Revenue Augmentation Fund	TOD .....	Transit Oriented Development
EVAW .....	Emergency Vehicle Accessway	TS/MRF .....	Transfer Station/Materials Recovery Facility
FAR .....	Floor Area Ratio	UBC .....	Uniform Building Code
FEMA.....	Federal Emergency Management Agency	USD.....	Union Sanitary District
FFD.....	Fremont Fire Department	VTa .....	Santa Clara Valley Transportation Authority
FMC.....	Fremont Municipal Code	WMA .....	Waste Management Authority
FPD.....	Fremont Police Department	ZTA.....	Zoning Text Amendment
FRC.....	Family Resource Center		

**UPCOMING MEETING AND CHANNEL 27  
BROADCAST SCHEDULE**

<b><i>Date</i></b>	<b><i>Time</i></b>	<b><i>Meeting Type</i></b>	<b><i>Location</i></b>	<b><i>Cable Channel 27</i></b>
February 1, 2010	4:00 p.m.	Joint City Council/FUSD Board Meeting	Council Chambers	Live
February 2, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 9, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
February 16, 2010	TBD	Work Session	Council Chambers	Live
February 23, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 2, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 9, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 16, 2010	TBD	Work Session	Council Chambers	Live
March 23, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
March 30, 2010 (5 <sup>th</sup> Tuesday)		No City Council Meeting		
April 6, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 13, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
April 20, 2010	TBD	Work Session	Council Chambers	Live
April 27, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 3, 2010	4:00 p.m.	Joint City Council/FUSD Board Meeting	Council Chambers	Live
May 4, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 11, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 18, 2010	TBD	Work Session	Council Chambers	Live
May 25, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live